

First Published in the Wichita Eagle on September 16, 2005.

RESOLUTION NO. 05-448

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON STAFFORD, FROM THE NORTH LINE OF PAWNEE TO THE EAST PROPERTY LINE OF LOT 9, BLOCK 6; STONEBROOK FROM THE NORTH LINE OF STAFFORD TO A POINT APPROXIMATELY 100 FEET NORTH; STAFFORD CT., FROM THE NORTH LINE OF STAFFORD TO AND INCLUDING THE CUL-DE-SAC (LOTS 1 THROUGH 7, Block 7); STAFFORD CT., FROM THE EAST LINE OF STAFFORD TO AND INCLUDING THE CUL-DE-SAC (LOTS 13 THROUGH 24, BLOCK 6) (EAST OF WEBB, NORTH OF PAWNEE) 472-84270 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING PAVEMENT ON STAFFORD, FROM THE NORTH LINE OF PAWNEE TO THE EAST PROPERTY LINE OF LOT 9, BLOCK 6; STONEBROOK FROM THE NORTH LINE OF STAFFORD TO A POINT APPROXIMATELY 100 FEET NORTH; STAFFORD CT., FROM THE NORTH LINE OF STAFFORD TO AND INCLUDING THE CUL-DE-SAC (LOTS 1 THROUGH 7, Block 7); STAFFORD CT., FROM THE EAST LINE OF STAFFORD TO AND INCLUDING THE CUL-DE-SAC (LOTS 13 THROUGH 24, BLOCK 6) (EAST OF WEBB, NORTH OF PAWNEE) 472-84270 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct pavement on Stafford, from the north line of Pawnee to the east property line of Lot 9, Block 6; Stoneybrook from the north line of Stafford to a point approximately 100 feet north; Stafford Ct., from the north line of Stafford to and including the cul-de-sac (Lots 1 through 7, Block 7); Stafford Ct., from the east line of Stafford to and including the cul-de-sac (Lots 13 through 24, Block 6) (east of Webb, north of Pawnee) 472-84270.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to **Three Hundred Twenty-Six Thousand Dollars (\$326,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **May 1, 2005** exclusive of the costs of temporary financing

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

BRENTWOOD SOUTH ADDITION

Lots 29 and 30, Block 3
Lots 9 through 28, Block 6
Lots 1 through 12, Block 7

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

Lots 29 and 30, Block 3, Lots 9 through 28, Block 6, and Lots 1 through 12, Block 7, BRENTWOOD SOUTH ADDITION shall each pay 1/34 of the total cost of the improvements.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment of said tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, September 13, 2005.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)